

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

November 7, 2022
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Planning and Development Services Director Justice Walker, Public Works Director Gary Manzer, City Clerk Judy Thompson and City Attorney Robert Scott.

Mayor Calvin welcomed BSA Scouts Troop 224 to the meeting and noted they are working on their government badge.

Additions/deletions to the agenda included: Council Member Fagerlie added Hemponix Sale of THC Product License.

Council Member Fagerlie moved to approve the agenda. Council Member Ask seconded the motion, which carried unanimously.

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of October 17, 2022
- B. Willmar Municipal Utilities Board Minutes of October 24, 2022
- C. Convention and Visitor Bureau Minutes of September 20, 2022
- D. ~~Planning Commission Minutes~~ of September 7, ~~September 21~~, and October 5, 2022
- E. Accounts Payable Report for October 12 through November 2, 2022
- F. **Resolution No. 2022-141 Approve MnDOT Contract No. 1051871-Airport Apron Expansion AIG Portion & Resolution No. 2022-142 Approve MnDOT Contract No. 1051872 - Airport Improvement Excluding Land Acquisition**
- G. **Resolution No. 2022-143 Approve MnDOT Contract No. 1051732-Airport Apron Expansion**
- H. **Resolution No. 2022-144 Certifying Deferred Special Assessments for Senior Citizens, Disabled, or Active Military**
- I. Consideration of Sale of THC Product Licenses

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Nelsen asked that Item "D." be pulled for discussion. Council Member O'Brien seconded the motion to approve the consent agenda, with the exception of Item "D.", which then carried on a roll call vote of Ayes 8, Noes 0.

Council Member Nelsen asked for clarification of the last paragraph referencing columbarium text amendment under Item 5 of the September 21, 2022 Planning Commission minutes. City Administrator Valiant stated this paragraph was included in error, and the minutes will be amended. Council Member Nelsen then offered a motion to approve the September 21, 2022 Planning Commission minutes. Council Member Fagerlie seconded the motion, which carried unanimously.

City Operations Director Box presented a request to approve a license for Hemponix to sell THC Products. Following discussion, Council Member Fagerlie offered a motion to approve the license pending all requirements are met. Council Member Davis seconded the motion, which carried unanimously.

There was no one present to speak during the Open Forum.

At 6:45 p.m., Mayor Calvin opened the public hearing for an ordinance amending Willmar Municipal Code Chapter 2-Establishing Filing Fees for Municipal Office. City Operations Director Box provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said amendment, Mayor Calvin closed the public hearing at 6:46 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie offered a motion to adopt, assign a number, and publish **Ordinance No. 1491, An Ordinance Amending Willmar Municipal Code, Chapter 2, Administration**. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Butterfield voted “no”.

At 6:47 p.m., Mayor Calvin opened the public hearing for an ordinance amending the salaries of elected officials. City Operations Director Box provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said amendment, Mayor Calvin closed the public hearing at 6:49 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Plowman offered a motion to adopt, assign a number, and publish **Ordinance No. 1492, An Ordinance Amending the Salaries of Elected Officials**. Council Member O’Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Butterfield voted “no”.

City Administrator Valiant presented a request to amend water rates charged by the Willmar Municipal Utilities Commission to be effective for billings sent out after January 1, 2023, and to set the public hearing date for Monday, November 21, 2022.

Following discussion, Council Member Fagerlie **introduced an ordinance Amending Water Rates Charged by the Municipal Utilities Commission of the City of Willmar, to be Effective for Billings Sent on and After January 1, 2023**, and set the public hearing for November 21, 2022. Council Member Nelsen seconded the motion, which carried.

Highway 23 Coalition Board President Jeff Bertram presented a request to approve a resolution supporting pursuit of Corridors of Commerce funding for the four-lane conversion of Highway 23 from U.S. Highway 71 to west of County Road 5 (2.5 miles) southwest of our city boundary.

Following discussion, **Resolution No. 2022-145 Supporting Pursuit of Corridors of Commerce Funding for the Four Lane Conversion of Highway 23** was introduced by Council Member Nelsen. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Following further discussion, Council Member Ask offered a motion to offer City Council’s support of a modified interchange for the Highway 23/County Road 9 intersection near New London. Council Member Plowman seconded the motion, which carried unanimously.

Kandiyohi County Housing and Redevelopment Authority Executive Director Jill Bengtson presented a request to adopt a resolution approving a five-year deferred, forgivable loan to the Kandiyohi County HRA funded from the 2019 Small Cities Development Program.

Following discussion, **Resolution No. 2022-146 A Resolution of the City of Willmar In Support of a Multi-Family Rental Rehabilitation Deferred Loan Agreement Between the City of Willmar and the Housing and Redevelopment Authority of Kandiyohi County, Minnesota Funded Through the 2019 Small Cities Development Program** was introduced by Council Member Nelsen. Council Member O’Brien seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to approve the job description for Director of Community Growth and direct staff to post the position for hire.

Following discussion, Council Member Ask offered a motion to approve staff’s request. Council Member Davis seconded the motion, which carried. Council Member Butterfield voted “no”.

City Environmental Specialist Sara Sietsema presented a request to adopt a resolution authorizing the Mayor to execute the Memorandum of Understanding with the MN Pollution Control Agency for the statewide monitoring of per-and polyfluoroalkyl substances (PFAS).

Following discussion, **Resolution No. 2022-147 Approving MOU with MPCA for the Statewide Monitoring of Per and Polyfluoroalkyl Substances (PFAS)** was introduced by Council Member Plowman. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Planning and Development Services Director Walker presented a request to approve the Unique Opportunities final plat.

Following discussion, Council Member Fagerlie offered a motion to approve staff's request. Council Member Davis seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented a request to enter into an agreement with Hometown Fiber to provide telecom mapping services of existing internet infrastructure in the City.

Following discussion, **Resolution No. 2022-148 Authorizing Execution of Consulting Agreement for Telecom Mapping** was introduced by Council Member Plowman. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin acknowledged a "Thank You" letter from the City of Kissimmee, Florida thanking the Municipal Utilities staff for providing mutual aid support to their city following Hurricane Ian.

Mayor Calvin offered the following comments: Election is tomorrow and urged everyone to get out and vote.

Council Member O'Brien offered the following comments: thanked Police Chief Felt and his staff for their efforts during a recent situation.

Council Member Fagerlie offered a motion to adjourn the meeting, with Council Member O'Brien seconding the motion, which carried. The meeting adjourned at 7:52 p.m.

/s/ Mary Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2022-141

**RESOLUTION AUTHORIZING EXECUTION OF
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

Motion By: Fagerlie Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar that the State of Minnesota Agreement Number 1051871 "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A3401-72 AIG 17-22 at the Willmar Municipal Airport is accepted.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 7th day of November, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-142

**RESOLUTION AUTHORIZING EXECUTION OF
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

Motion By: Fagerlie Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar that the State of Minnesota Agreement Number 1051872 "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A3401-70 at the Willmar Municipal Airport is accepted.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 7th day of November, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-143

**RESOLUTION AUTHORIZING EXECUTION OF
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

Motion By: Fagerlie Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar that the State of Minnesota Agreement Number 1051732 "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A3401-72 at the Willmar Municipal Airport is accepted.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 7th day of November, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-144

A RESOLUTION CERTIFYING DEFERRED SPECIAL ASSESSMENTS

Motion By: Fagerlie Second By: O'Brien

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the reconstruction of certain streets during the year 2022 (Project 2201); and

WHEREAS, Minnesota Statutes, Sections 435.193 to 435.195 allows local governments certifying special assessments against municipal properties to defer the payment of that assessment for any homestead property owned by a person 65 years of age or older, retired by virtue of a permanent and total disability; and active military

WHEREAS, certain property owner(s) have made application to the City for delayed payment of tax on special assessments and have met the criteria contained in Minnesota Statutes for said deferment.

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred for the years of 2023 through 2038 with interest at the annual rate of five and ten tenths (5.10%) percent.

BE IT FURTHER RESOLVED that the option to defer payments will terminate and all deferred payments and interest become payable if a) the owner dies and the surviving spouse is not eligible; b) the property or a portion of the property is sold, transferred or subdivided; c) the property loses its homestead status; or d) the City determines that to require immediate or partial payment would not create a hardship.

David & Gertrude Wandersee	95-143-0410	\$12,320.00
1001 19 th Avenue SE	Section 23, Township 119, Range 35, Lot 1, Block 3	
Willmar	DANA HEIGHTS THIRD ADDITION	

Lu Rose Trust	95-700-0370	\$9,307.50
Luverne Stadtherr	Section 22, Township 119, Range 35, Lot 7, Block 3	

500 17 th Avenue SW	SCANDIA TERRACE ADDITION IN THE CITY OF WILLMAR
Willmar	

Attest: /s/ Marv Calvin
MAYOR

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-145

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA
SUPPORTING PURSUIT OF CORRIDORS OF COMMERCE FUNDING FOR THE FOUR LANE CONVERSION OF
HIGHWAY 23**

Motion By: Nelsen Second By: Ask

WHEREAS, the Corridors of Commerce program is a competitive funding opportunity that funds projects that foster economic growth, enable goods to be transported through a commerce friendly network of corridors, and provide additional mobility to citizens; and,

WHEREAS, the Minnesota Legislature allocated \$250 million to the Corridors of Commerce Program to fund statewide projects with the goal of fostering economic growth, enabling of goods to be transported through a commerce friendly network of corridors, and providing additional mobility to its citizens; and,

WHEREAS, the Corridors of Commerce funding is to be awarded to on a competitive basis to projects that will have a significant local or regional impact; and,

WHEREAS, the City of Willmar has long supported the Highway 23 Corridor Coalition’s mission and further supports this Corridors of Commerce request to fund the four-lane conversion on Highway 23 from U.S. Highway 71 to west of County Road 5 (2.5 miles) southwest of our city boundary; and,

WHEREAS, the conversion of Highway 23 to a four-lane highway will allow for safer and faster movement of goods and services and support economic competitiveness of the region.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar that

1. The City Council hereby supports the Coalition’s pursuit of the Corridors of Commerce funds for the project mentioned above.
2. The City is further committed to cooperating in development and construction of the project in a timeframe that supports grant agreement requirements.

Dated this 7th day of November, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION 2022-146

A RESOLUTION OF THE CITY OF WILLMAR

**IN SUPPORT OF A MULTI-FAMILY RENTAL REHABILITATION DEFERRED LOAN AGREEMENT BETWEEN
THE CITY OF WILLMAR AND THE HOUSING AND REDEVELOPMENT AUTHORITY OF KANDIYOHI
COUNTY, MINNESOTA FUNDED THROUGH THE 2019 SMALL CITIES DEVELOPMENT PROGRAM**

Motion By: Nelsen Second By: O’Brien

WHEREAS the City of Willmar has been granted \$600,000 through the Department of Employment and Economic Development's 2019 Small Cities Development Program for the purpose of rehabbing the Lakeview Apartments owned by the Housing and Redevelopment Authority of Kandiyohi County, Minnesota;

NOW THEREFORE BE IT RESOLVED the City of Willmar hereby approves the attached five-year deferred, forgivable loan to be executed between the City of Willmar and the Housing and Redevelopment Authority of Kandiyohi County, Minnesota;

BE IT FURTHER RESOLVED the loan shall be executed at a future date when requested by the Housing and Redevelopment Authority but no later than 11/30/2023.

Approved this 7th day of November, 2022 at Willmar, MN.

WITNESSED:

/s/ Marv Calvin

Mayor

/s/ Judy Thompson

City Clerk

/s/ Leslie Valiant

City Administrator

RESOLUTION NO. 2022-147

APPROVING MOU WITH MPCA FOR THE STATEWIDE MONITORING OF PER AND POLYFLUOROALKYL SUBSTANCES (PFAS).

Motion By: Plowman

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a Memorandum of Understanding between the City of Willmar and Minnesota Pollution Control Agency for statewide monitoring of per- and polyfluoroalkyl substances.

Dated the 7th day of November, 2022

Approved:

/s/ Marv Calvin
Mayor

Attested:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-148

**RESOLUTION AUTHORIZING EXECUTION OF
CONSULTING AGREEMENT FOR TELECOM MAPPING**

Motion By: Plowman

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar that Consulting Agreement for Telecom Mapping with Hometown Fiber, LLC., is accepted.

The Mayor and City Administrator are authorized to execute this agreement and any amendments on behalf of the City of Willmar.

Dated this 7th day of November, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK